

METROPOLITAN BEER PERMIT BOARD RULES AND REGULATIONS

1. The Executive Secretary to the Metropolitan Beer Permit Board may issue a temporary license to sell beer to any person who meets the following requirements:

A. Said person shall state under oath that he or she has purchased an ongoing business enterprise which involves the sale of beer; and

B. Said person desires to continue the sale of beer as a part of that business enterprise; and

C. Said person has completed under oath an application for an annual beer permit; and

D. The information included on said form does not conflict with any of the requirements for the issuance of an annual beer permit; or

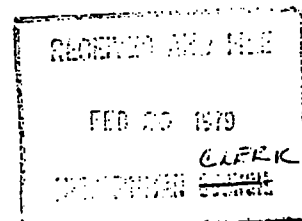
E. Said person shall state under oath that he or she has become the manager or is otherwise responsible for the sale of beer in an ongoing business enterprise; and

F. Said person in order to pursue the business of his or her employer needs to hold a beer permit in order to operate said business;

G. Said person has completed under oath an application for an annual beer permit; and

H. The information included on said form does not conflict with any of the requirements for the issuance of an annual beer permit.

Upon completion of these requirements, the Executive Secretary may issue a temporary license to that person to continue the sale of beer until his or her application for an annual beer permit has been heard by the Beer Permit Board. This license shall expire on the date of the next meeting of the Beer Per-



mit Board in which such person's beer permit application can be heard.

APPROVED AS TO FORM AND LEGALITY:

J. R. Stolley  
Metropolitan Attorney

Adopted: APR 10 1978

2. An off-sale beer permittee, who is not also the holder of an on-sale beer permit, shall sell beer only in commercially sealed containers of metal alloy or glass.

APPROVED AS TO FORM AND LEGALITY:

J. R. Stolley  
Metropolitan Attorney

Adopted: AUG 28 1978

3. No person under eighteen years of age shall sell beer or other beverages with an alcoholic content of five (5%) percent or less by weight.

4. No person under eighteen years of age shall serve beer or other beverages with an alcoholic content of five (5%) percent or less by weight in any establishment which is licensed for on-premises consumption.

APPROVED AS TO FORM AND LEGALITY:

J. R. Stolley  
Metropolitan Attorney

Adopted: NOV 27 1978

5. No person shall be granted a beer permit or permits for more than one business premises.

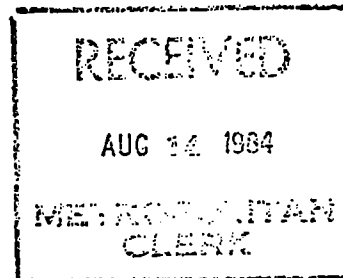
APPROVED AS TO FORM AND LEGALITY:

J. R. Stolley  
Metropolitan Attorney

Adopted: MAY 28 1978


CLERK

METROPOLITAN BEER PERMIT BOARD  
RULES AND REGULATIONS



Metropolitan Beer Permit Board Rules and Regulations, Rule 2, is hereby deleted in its entirety and the following is substituted in lieu thereof:

2. An off-sale beer permittee shall sell beer only in commercially sealed containers. In the event that the off-sale beer permittee desires to commercially seal the containers containing beer on said permittee's premises, said permittee shall seal the containers in an area separate from the area which is used by the public. The presence of a non-commercially sealed or unsealed container containing beer within an area of the off-sale beer permittee's premises which are used by the public is strictly prohibited. The presence of a non-commercially sealed or unsealed container containing beer within an area of the off-sale beer permittee's premises which are used by the public creates a presumption that the off-sale beer permittee is selling beer for on-premises consumption.

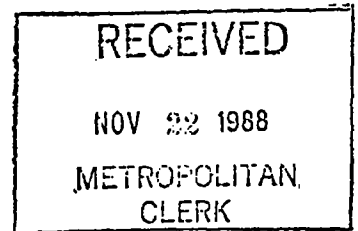
  
Chairman

ADOPTED AUGUST 10, 1984.

RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE 6

Beer shall not be sold through any drive-through or delivery window or by curb service by any retail establishment possessing an on-premises or off-premises beer sale permit.



ADOPTED: November 9, 1988

PROPOSED RULE # 7 OF THE RULES AND REGULATIONS  
OF THE BEER PERMIT BOARD FOR THE METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE

In order to more effectively administer the Statutes and Ordinances regulating the sale and consumption of beer within Davidson County, Tennessee, the Beer Permit Board for the Metropolitan Government hereby gives notice that it will consider the adoption of the following rule at its next regularly scheduled meeting.

For the purpose of clarifying the inconsistency in the application of Metropolitan Code of Laws, Section 5-1-16, which requires that the Board consider at its next regularly scheduled meeting all applications for beer permits which are filed at least ten (10) days prior to that next meeting, and Tennessee Code Annotated, Section 57-5-105(d), which requires publication in a newspaper of the name and address of the applicant for at least ten (10) days prior to the next meeting, the Board hereby promulgates the following:

All applications for beer permits must be on file in the office of the Beer Permit Board for The Metropolitan Government of Nashville and Davidson County, at least ten (10) business days prior to the next regularly scheduled meeting of the Board.

ADOPTED: July 26, 1988

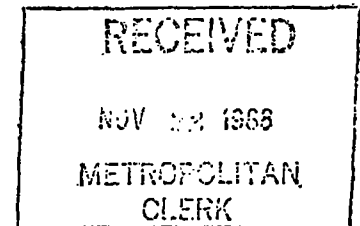
RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE 8

SPECIAL EVENTS PERMIT

The following must have taken place before a special event permit can be issued:

All applicants for a special event permit intended to benefit a charity must submit approval in writing for said event from the Charitable Solicitations Board.



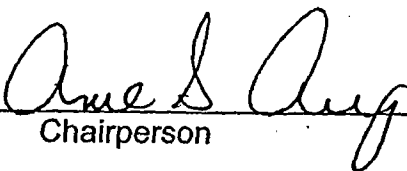
ADOPTED: November 9, 1988

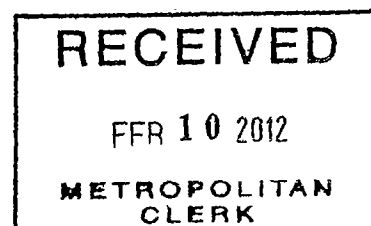
RULES AND REGULATIONS OF THE BEER PERMIT BOARD OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

AMENDED RULE NO. 8

Special Events held on public property can only be issued a special event permit if the event benefits a "bona fide political organization" or a "bona fide charitable or nonprofit organization" as defined in T.C.A. 57-4-102. All Special Event applicants or caterers must provide written notice from the benefitted entity to the Beer Board confirming its involvement in the Special Event, as well as documentation of the benefitted entity's status as a "Bona fide political organization" or "bona fide charitable or nonprofit organization."

ADOPTED: This 9 day of February, 2012

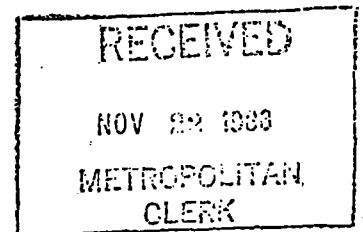
  
Chairperson



RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE 9

All applicants for beer permits must supply the name, address and date of birth of all owners and/or partners holding any interest in the retail establishments or locations where beer will be sold. The Beer Permit Board may consider the criminal history of any person having an interest in the named location when determining eligibility for permits of any kind.



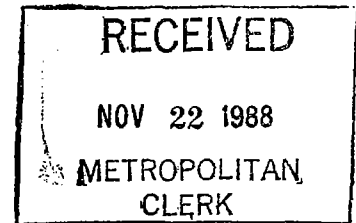
ADOPTED: November 9, 1988



RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE 10

No permittee nor any of his/her agents shall deliver beer from a business establishment to the home or any other location of the consumer where the sale and delivery of beer and/or other goods are made simultaneously at the location of the consumer.

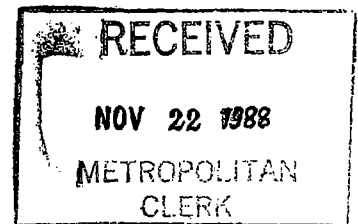


ADOPTED: November 9, 1988

RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE 11

All retail permittees shall conspicuously post laws and regulations governing the sale of beer in a location easily observed by the public. Regulations and laws governing the sale of beer to under-aged persons shall be conspicuously posted near the cash register of all establishments engaging in the retail sale of beer.

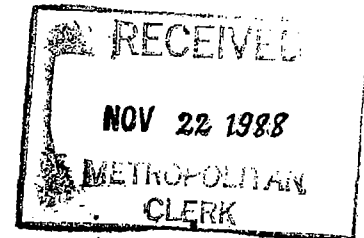


ADOPTED: November 9, 1988

RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE 12

In disciplinary proceedings, it shall be no defense that an employee or agent of a permittee acted contrary to order, or that the permittee did not personally participate in the violating act or acts. Permittees are responsible for ensuring knowledge of and compliance with the Beer Permit Laws of The Metropolitan Government of Nashville and Davidson County and the Rules of the Beer Permit Board, among agents or employees.

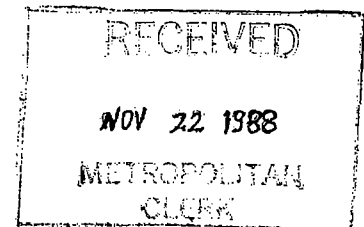


ADOPTED: November 9, 1988

RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE 13

When applying for an on or off-sale permit, all applicants shall show evidence of lease or ownership of the property where the business will be located.

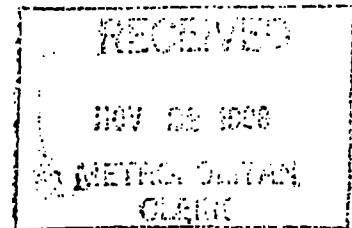


ADOPTED: November 9, 1988

RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE 14

- A All applicants for a permit of any kind relating to the sale of beer must be no less than twenty-one years of age.
- B. When ascertaining the age of a person purchasing or attempting to purchase beer, a permittee or licensee must view one or more of the following documents:
1. Valid driver's license from the State of Tennessee.  
(If not in possession of a Tennessee Driver's License, purchaser must show other identification,
  2. United States Active Duty Military Identification,
  3. Passport,
  4. A valid identification card showing a recent photograph, issued by any agency of the State or County for the purpose of identification.



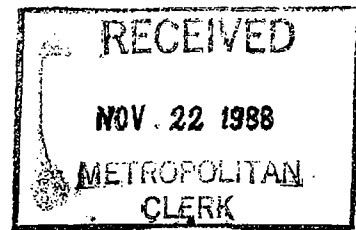
ADOPTED: November 9, 1988

RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE 15

When applying for a special event permit, applicant must submit approval for the proposed event in writing from:

- A. Department of Codes Administration,
- B. Traffic and Parking Commission,
- C. Fire Marshal (when tents are used),
- D. Department of Health,
- E. Present verifiable proof of proper security.

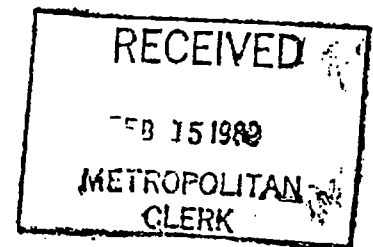


ADOPTED: November 9, 1988

RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Rule No. 16

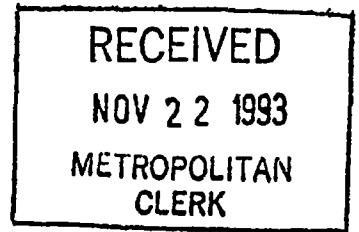
All application fees for on sale, off sale, or dance permits, including renewals thereof, must be paid in cash or by cashier's check or certified check. All such payments will be tendered at the time of application at the administrative offices of the Metropolitan Beer Permit Board.



APPROVED: February 14, 1989

Metropolitan Beer Permit Board

RULES AND REGULATIONS OF  
THE METROPOLITAN BEER PERMIT BOARD



Amended Rule No. 16

All application fees for beer permits or dance permits, privilege taxes, and civil penalties must be paid in cash, by cashier's check, by certified check or by money order. Application fees shall be paid at the time of application at the administrative offices of the Metropolitan Beer Permit Board.

This amended rule supersedes and replaces Rule 16 which was adopted on February 14, 1989.

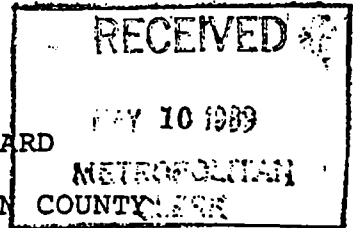
ADOPTED: This 17 Day of November, 1993

The Metropolitan Beer Permit Board.

A handwritten signature in cursive script, appearing to read "Randall Fancey".



RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON



Rule No. 17

The Metropolitan Beer Permit Board hereby adopts the definition of "moral turpitude" set forth in Tennessee Code Annotated, section 57-4-203(h)(2), as amended, which states in pertinent part:

. . .

(2) For purpose of this subsection, moral turpitude means premeditated murder, all sex related crimes, selling of Class 1 and 2 controlled substances illegally and embezzlement;

For purposes of this Rule, Class 1 and 2 shall be considered the same as Schedule I and II substances, respectively, as defined by Tennessee Code Annotated sections 39-6-406 and 39-6-408.

APPROVED: Metropolitan Beer Permit Board

DATE: May 9, 1989

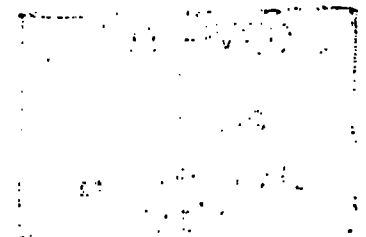
RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Rule No. 18

Upon making application for a beer permit from the Metropolitan Beer Permit Board, applicants shall present written verification of compliance with pertinent Metropolitan Davidson County Health Department ordinances and regulations. The required health approval documentation shall be presented to the Metropolitan Beer Permit Board administrative offices before Board consideration of a pending application. Failure to provide documents verifying health department approval shall result in automatic deferral of applications until said document has been provided by the applicant. It is the responsibility of the applicant to ensure that documents verifying Metropolitan Health Department approval are provided to the Metropolitan Beer Permit Board administrative offices.

\_\_\_\_\_  
Chairperson

ADOPTED THIS 25<sup>th</sup> DAY OF July, 1989.



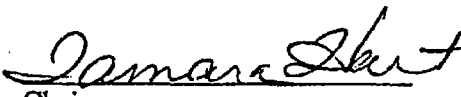
RULES AND REGULATIONS OF THE BEER PERMIT BOARD OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

AMENDED RULE NO. 19

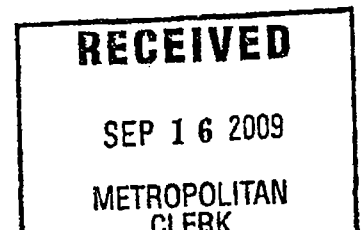
Upon making application for an on-sale beer permit or a dance permit from the Metropolitan Beer Permit Board, applicants shall present written verification of compliance with pertinent Metropolitan Davidson County Fire Marshal's ordinances and regulations. The required Fire Marshal's approval documentation shall be presented to the Metropolitan Beer Permit Board administrative offices before Board consideration of a pending application.

Failure to provide documents verifying Fire Marshal's approval shall result in automatic deferral of applications until said document has been provided by the applicant. It is the responsibility of the applicant to ensure that documents verifying Metropolitan Fire Marshal's approval are provided to the Metropolitan Beer Permit Board administrative offices.

This amended rule revises and replaces the rule adopted on July 25, 1989.

  
Acting Chairperson

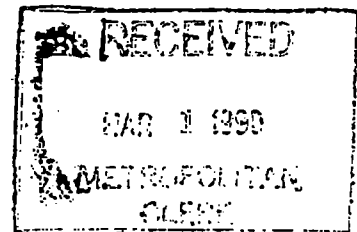
ADOPTED AS AMENDED THIS 10<sup>th</sup> DAY OF SEPTEMBER, 2009.



RULES AND REGULATIONS OF THE BEER  
PERMIT BOARD OF THE  
METROPOLITAN GOVERNMENT OF  
NASHVILLE AND DAVIDSON COUNTY

RULE 20

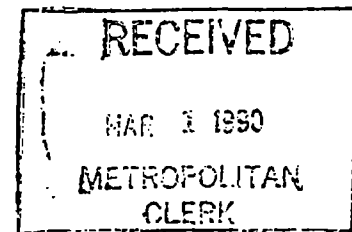
All applicants for a permit of any kind relating to the sale of beer must be employed at the premises for which the permit is issued on a basis of at least (40) forty hours per week.



RULES AND REGULATIONS OF THE BEER  
PERMIT BOARD OF THE  
METROPOLITAN GOVERNMENT OF  
NASHVILLE AND DAVIDSON COUNTY

RULE 21

Permittees shall surrender their permits, in person, at the offices of the Metropolitan Beer Permit Board, during its business hours, immediately following the termination of their association with the business or location for which the permit(s) have been issued, except as provided by sections 5-1-23(f) & 5-1-23.3(i) of the Metropolitan Code of Laws or except in cases of death, illness, absence from the Metropolitan Government area, or similar circumstances.



RULES AND REGULATIONS OF THE BEER PERMIT BOARD OF THE METROPOLITAN GOVERNMENT OF NASHVILLE DAVIDSON COUNTY

RULE #22

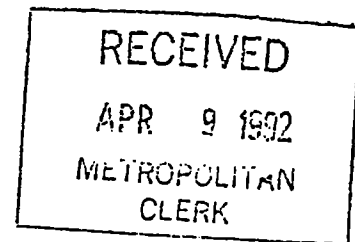
ALL COMPLAINTS REQUESTED TO BE HEARD BY THE METROPOLITAN BEER PERMIT BOARD SHALL BE FILED IN WRITING WITH THE EXECUTIVE DIRECTOR OF THE METROPOLITAN BEER PERMIT BOARD. SUCH COMPLAINTS SHALL CONSIST OF THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE PERSON OR PERSONS MAKING THE COMPLAINT AND THE NAME, ADDRESS, TELEPHONE NUMBER, AND NATURE OF THE COMPLAINT OF THE ALLEGED OFFENDING PARTY.

RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE NO. 23

It is the responsibility of each wholesaler, prior to each delivery, to examine a retailer's permit and verify that the retail permit holder is still employed at the location. In the event that the retail permit holder is no longer employed at the location, the retailer's permit is no longer considered a valid permit, and beer shall not be delivered to that location.

ADOPTED: March 24, 1992



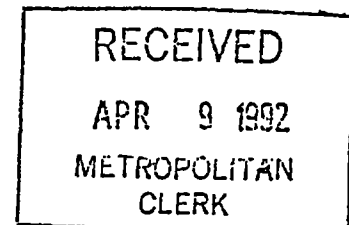
RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE NO. 24

An old location is any location that has had an on-sale or off-sale beer permit within the thirty (30) calendar days prior to the filing of an application for, or for any renewal of, a beer permit. A new location is any location that has not had an on-sale or off-sale beer permit within the thirty (30) calendar days prior to the filing of an application for, or for any renewal of, a beer permit.

For purpose of dance permits, an old location is any location that has had a dance permit within the thirty (30) calendar days prior to the filing of an application for, or for any renewal of, a dance permit. A new location is any location that has not had a dance permit within the thirty (30) calendar days prior to the filing of an application for, or for any renewal of, a dance permit.

ADOPTED: March 24, 1992



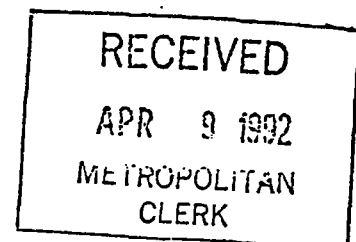


RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE NO. 25

All inspections and approvals by the health department and the fire department must be conducted within the ninety (90) calendar days prior to Beer Board consideration of a pending application. When inspections and approvals have not been conducted within the previous ninety (90) days, the application shall be deferred for up to sixty (60) days to allow the applicant to have the inspections and approvals conducted. When the inspections and approvals have been completed, the applicant shall deliver the approval forms to the administrative office of the Beer Board. The application shall then be set for the next Beer Board meeting that follows the Board's next ten day publication period. In the event that the approvals are not received at the Beer Board office within sixty (60) calendar days of the deferral, the application(s) shall automatically be denied, without further action of the Board. This rule shall not apply to annual renewals.

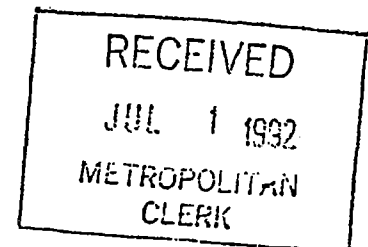
ADOPTED: March 24, 1992



RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE NO. 25

Rule number 25, adopted on March 24, 1992, is  
repealed effective June 24, 1992.



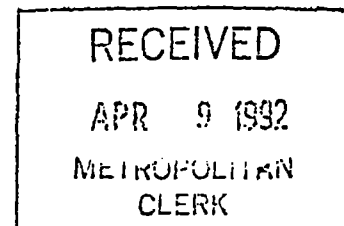
APPROVED: June 24, 1992

RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE NO. 26

All applications for dance and beer permits must be filed at the office of the Metropolitan Beer Permit Board at least ten working days prior to the date of hearing by the Board.

ADOPTED: March 24, 1992

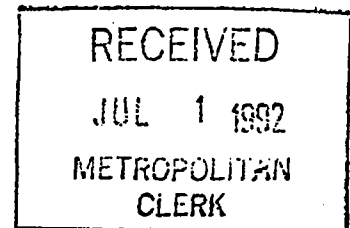


RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

AMENDED RULE NO. 26

All applications for dance and beer permits must be filed at the office of the Metropolitan Beer Board at least eleven (11) business days prior to the date of hearing by the Board.

This amended rule supersedes and replaces the Rule 26 that was adopted on March 24, 1992, and the Rule 7 that was adopted on July 26, 1988.



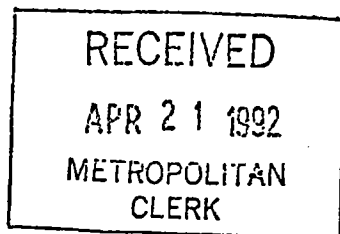
ADOPTED: June 24, 1992

RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE NO. 27

Prior to the issuance of the annual renewal of any beer permit, the permit holder shall file at the administrative office of the Beer Board a copy of the permit holder's most recent biannual health inspection approval form.

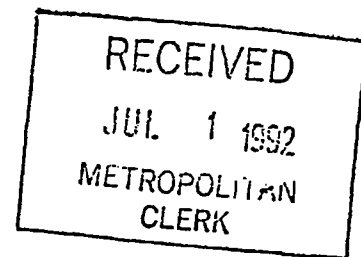
ADOPTED: April 14, 1992



RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE NO. 27

Rule number 27, adopted on March 24, 1992, is  
repealed, effective June 24, 1992.



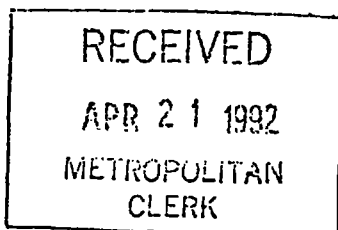
APPROVED: June 24, 1992

RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE NO. 28

A permit holder may not avoid a hearing or probation, suspension, or revocation of a permit by surrendering the permit. In the event of surrender of a permit, the Beer Board shall retain its authority to take action on any alleged violation that may have occurred prior to the surrender of a permit.

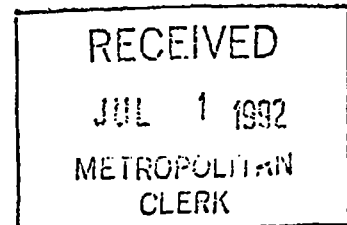
ADOPTED: April 14, 1992



RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE NO. 29

Temporary permits shall not be issued to any applicant or for any location that has a complaint by a beer inspector or law enforcement officer or a citation pending before the beer board.

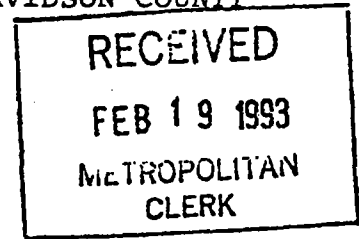


ADOPTED: June 24, 1992



RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

AMENDED RULE NO. 29



Temporary permits shall not be issued by the Executive Director to any applicant or for any location that has a complaint by a beer inspector or law enforcement officer or a citation pending before the beer board.

This amended rule supersedes and replaces the rule 29 that was adopted on June 24, 1992.

ADOPTED: February 10, 1993

RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RECEIVED  
AUG 25 1992  
METROPOLITAN  
CLERK

RULE NO. 30

The grandfather clause of Ordinance 092-246 is interpreted as follows:

A business is grandfathered if,

1. it had a beer permit in effect on the effective date of the ordinance (May 26, 1992), or;

2. a business did not have a beer permit in effect on the effective date of the ordinance, but had one prior to the effective date of the ordinance, and the period between the last effective date of the prior permit and the meeting at which the application for a new annual permit is addressed does not exceed one hundred eighty (180) days. The time period is calculated as follows: the first day counted is the day after the last effective date of the permit, and the last day counted is the day of the beer board meeting at which the application for a new permit is heard. If, however, the prior permit was granted after January 1, 1992, and was not subject to any distance requirement, the business shall not be grandfathered.

Any business grandfathered under either of the foregoing shall continue to be grandfathered so long as a beer permit remains in effect without a lapse of more than one hundred eighty (180) days, even if there is a change of ownership. The period without a permit (lapse) is counted as follows: the first day counted is the day after expiration of the prior permit and the last day is the date of the beer board meeting at which the application for a new annual permit is heard.

Additional rules of construction are as follows:

(1) An effective beer permit includes a temporary beer permit, as long as all requirements for an annual beer permit were met at the time of issuance.

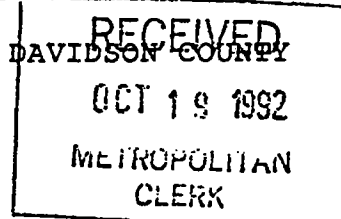
(2) In counting the one hundred eighty (180) days, all days are counted, including weekends, holidays, and other non-business days.

(3) A permit in effect is one that has not expired, been revoked, or been surrendered.

ADOPTED: August 12, 1992

RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

AMENDED RULE NO. 30



The grandfather clause of Ordinance 092-246 is interpreted as follows:

A business is grandfathered if,

1. it had a beer permit in effect on the effective date of the ordinance (May 26, 1992), or;

2. a business did not have a beer permit in effect on the effective date of the ordinance, but had one prior to the effective date of the ordinance, and the period between the last effective date of the prior permit and the meeting at which the application for a new annual permit is addressed does not exceed one hundred eighty (180) days. The time period is calculated as follows: the first day counted is the day after the last effective date of the permit, and the last day counted is the day of the beer board meeting at which the application for a new permit is heard. If, however, the prior permit was granted after January 1, 1992, and was not subject to any distance requirement, the business shall not be grandfathered.

Any business grandfathered under either of the foregoing shall continue to be grandfathered so long as a beer permit remains in effect without a lapse of more than one hundred eighty (180) days, even if there is a change of ownership. The period without a permit (lapse) is counted as follows: the first day counted is the day after expiration of the prior permit and the last day is the date of the beer board meeting at which the application for a new annual permit is heard.

Additional rules of construction are as follows:

(1) An effective beer permit includes a temporary beer permit, as long as all requirements for an annual beer permit were met at the time of issuance.

(2) In counting the one hundred eighty (180) days, all days are counted, including weekends, holidays, and other non-business days.

(3) A permit in effect is one that has not expired, been revoked, or been surrendered.

(4) Distances for special event permits shall be measured from the perimeter of the area where beer shall be stored, sold, and/or consumed.

(5) Special events shall be grandfathered if the event was issued a special event permit during the one year prior to May 26, 1992, and is held at the same location as the prior year's event and shall continue to be grandfathered every year thereafter so long as the event is held annually, is held at the same location each year, and is issued a special event permit each year. If the event is not held, the location is changed, and/or a special event permit is not issued for the event in any year, the event will no longer be grandfathered.

This amended rule supersedes and replaces the Rule 30 that was adopted on August 12, 1992.

ADOPTED: October 14, 1992

RECEIVED

JAN 29 1993

METROPOLITAN  
CLERK

RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

SECOND AMENDED RULE NO. 30

1. The grandfather clause of Ordinance 092-246, as amended, is interpreted as follows:

A business is grandfathered if,

a. it had a beer permit in effect on the effective date of the ordinance (May 26, 1992), or;

b. a business did not have a beer permit in effect on the effective date of the ordinance, but had one prior to the effective date of the ordinance, and the period between the last effective date of the prior permit and the date that a new application is filed does not exceed three hundred sixty-five (365) days. The time period is calculated as follows: the first day counted is the day after the last effective date of the permit, and the last day counted is the day that the application for a new permit is filed. If, however, the prior permit was granted after January 1, 1992, and was not subject to any distance requirement, the business shall not be grandfathered.

Any business grandfathered under either of the foregoing shall continue to be grandfathered so long as a beer permit remains in effect without a lapse of more than three hundred sixty-five (365) days, even if there is a change of ownership. The period without a permit (lapse) is counted as follows: the first day counted is the day after expiration of the prior permit and the last day counted is the day that the application for a new annual permit is filed.

2. The distance requirements do not apply to a retailer on-premises (on sale) permit that is: (1) for an establishment that is located in an MUL zoning district, as determined by Codes Administration, (2) that is obtained prior to April 30, 1993, and (3) that is for an establishment for which more than fifty percent (50%) of the gross sales are derived from the sale of food, excluding sales of alcoholic beverages. A retailer on-premises permit that is exempt from the distance requirements in accordance with the foregoing remains exempt so long as it remains in effect without a lapse of more than three hundred sixty five (365) days, even if there is a change of ownership. The period without a permit (lapse) is counted as follows: the first day counted is the day after expiration of the prior retailer on-premises permit

and the last day counted is the day that the application for a new annual retailer on-premises permit is filed. The exemption does not apply to permits other than retailer on-premises permits or to any establishment that does not meet or does not continue to meet all requirements for exemption.

3. Additional rules of construction are as follows:

(a) An effective beer permit includes a temporary beer permit, as long as all requirements for an annual beer permit were met at the time of issuance.

(b) In counting the three hundred sixty five (365) days, all days are counted, including weekends, holidays, and other non-business days.

(c) A permit in effect is one that has not expired, been revoked, or been surrendered.

(d) Distances for special event permits shall be measured from the perimeter of the area where beer shall be stored, sold, and/or consumed.

(e) Special events shall be grandfathered if the event was issued a special event permit during the one year prior to May 26, 1992, and is held at the same location as the prior year's event and shall continue to be grandfathered every year thereafter so long as the event is held annually, is held at the same location each year, and is issued a special event permit each year. If the event is not held, the location is changed, and/or a special event permit is not issued for the event in any year, the event will no longer be grandfathered.

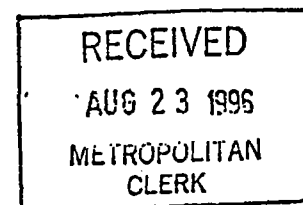
This second amended rule supersedes and replaces the Rule 30 that was adopted on August 12, 1992, and the Amended Rule 30 that was adopted on October 14, 1992.

ADOPTED: January 13, 1993

RULES AND REGULATIONS OF THE BEER PERMIT BOARD  
OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE NO. 31

No permittee shall expand the premises for which a permit to sell beer has been previously granted beyond the premises described in the permit application. A permit may be issued for the entirety of any expanded premises or for each of the separate contiguous premises operated by the permittee at the expanded premises only upon proper application by owner and surrender of the permit previously issued at the premises. Beer may not be sold on any premises for which a permit has not been issued. Any new permit(s) shall be issued only following an inspection by a beer permit inspector to insure the expanded premises are in compliance with all laws of the State of Tennessee and the Code of the Metropolitan Government of Nashville and Davidson County governing the sale of beer, and to insure the expanded premises are not inimical to the public health, safety, and morals of the inhabitants of Metropolitan Nashville and Davidson County. Payment of all application fees for each beer permit issued at the expanded premises is required.




RULES AND REGULATIONS OF THE BEER PERMIT BOARD OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

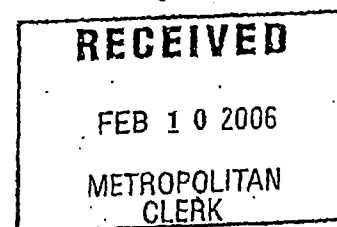
AMENDED RULE NO. 32

Pursuant to Metropolitan Code of Laws § 7.08.105(C), a holder of a caterer permit shall give advance notice to the staff of the Beer Permit Board for each site on which beer will be sold and consumed. Such notice shall be given on a form provided by the staff of the Beer Permit Board, which shall include the date, time and location of the catered event. Such notice shall be submitted to the staff of the Beer Permit Board during regular business hours at least one business day prior to the catered event. In addition to accepting notice via facsimile or U.S. Mail, the staff of the Beer Permit Board will accept notice by hand delivery.

This amended rule supersedes and replaces Rule 32 which was adopted on May 12, 2005.

Adopted: This 9<sup>th</sup> day of February, 2006

  
Chairman





**RULES AND REGULATIONS OF THE BEER PERMIT BOARD OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

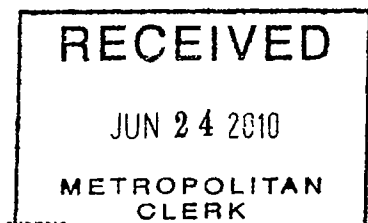
**AMENDED RULE NO. 32**

Pursuant to Metropolitan Code of Laws § 7.08.105(C), a holder of a caterer's permit shall give advance notice to the Beer Permit Board for each site on which beer will be sold and consumed. Such notice shall be given on a form provided by the staff of the Beer Permit Board, which shall include the date, time and location of the catered event. Such notice shall be submitted to the staff of the Beer Permit Board during regular business hours at least one business day prior to the catered event. In addition to accepting notice via facsimile or U.S. Mail, the staff of the Beer Permit Board will accept notice by hand delivery.

**A holder of a caterer's permit shall provide staff to supervise the serving and/or dispensing of beer during catered events. Caterer's permit holders shall be responsible for ensuring that all beer catering is conducted in compliance with all local and state beer laws and the rules of the Beer Permit Board.**

This amended rule supersedes and replaces Amended Rule 32 which was adopted on February 9th, 2006.

ADOPTED: This 28<sup>th</sup> day of June, 2010.  
The Metropolitan Beer Permit Board.



RULES AND REGULATIONS OF THE BEER PERMIT BOARD OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

THIRD AMENDED RULE NO. 32

Pursuant to Metropolitan Code of Laws Section 7.08.105(C), a holder of a caterer's permit shall give advance notice to the staff of the Beer Permit Board for each site on which beer will be sold and consumed, the dates of such beer sales and consumption, as well as the individual or entity for whom the caterer is providing beer.

Such notice shall be given on a form provided by the staff of the Beer Permit Board. Such notice shall be submitted to the staff of the Beer Permit Board by 4 pm C.S.T. at least one business day prior to the catered event. The staff of the Beer Permit Board will accept signed notices by fax, by hand delivery, or by email to beerboard@nashville.gov.

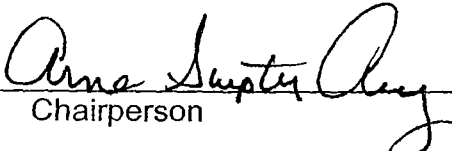
The permitted caterer shall transport or direct the transportation of the beer to and from the facility or location of the catered event, under the Board's transportation and delivery guidelines. The permitted caterer shall provide the staff to supervise the serving and/or dispensing of beer during catered events.

A caterer may not cater beer to any location, facility, business, or other entity that is ineligible for either a temporary beer permit or special event beer permit. A caterer may not cater beer to any location, facility, business, or other entity that has had a beer permit revoked, suspended or denied.

No facility, business, or entity may use caterers to provide beer on a recurring basis as an alternative to obtaining its own beer permit. To that end, no business or other entity may have beer sold or served by a caterer more than three days per week, provided however, that such license shall allow the caterer one day before the catering days and one day after the catering days for the transporting and storing of beer for a licensed catered event. Thus, the maximum number of days for sales and service of beer is 3. The maximum number of days for the caterer to possess, transport, sell and serve beer is 5.

Caterer's permit holders shall be responsible for ensuring that all beer catering is conducted in compliance with all local and state beer laws and the rules of the Beer Permit Board.

ADOPTED: This 16 day of November, 2011

  
Chairperson

METROPOLITAN  
GOVERNMENT  
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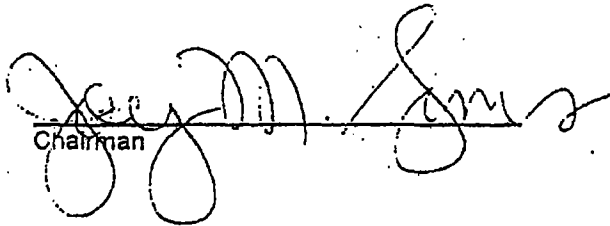
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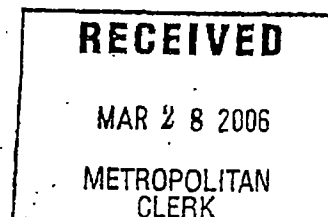
**RULES AND REGULATIONS OF THE BEER PERMIT BOARD OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

**RULE NO. 33**

The beer board shall consider a permit holder's past violations in determining penalties for violations of Metropolitan Government ordinances. Where a business changes ownership, violations under the previous owner shall be considered unless there is a substantial ownership change, which shall consist of at least a fifty (50) percent change in ownership since the previous violation. A change in the legal organization of a permit holder shall not constitute a substantial ownership change unless there is at least a fifty (50) percent change in the persons who own the new legal entity.

Adopted: This 22nd day of March, 2006

  
Chairman



**RULES AND REGULATIONS OF THE BEER PERMIT BOARD OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

**AMENDED RULE NO. 34**

While the beer permit board determines penalties on a case by case basis and reserves the right to impose penalties different from those contained in this rule, the following constitutes standard penalties for violations of applicable state or metropolitan laws involving the sale of beer to minors:

**(a) 1st offense**

1) The permit holder shall have the option of paying a civil penalty not to exceed \$2500 in lieu of a hearing.

2) If the permit holder requests a hearing and the beer board finds the permit holder to be in violation, the permit holder will have the option to pay a civil penalty in an amount to be determined by the beer board or to receive a 14 day suspension and 90 days of probation.

**(b) 2nd offense**

1) 14 day suspension and 90 days of probation,

**(c) 3rd offense**

1) 30 day suspension and 180 days of probation,

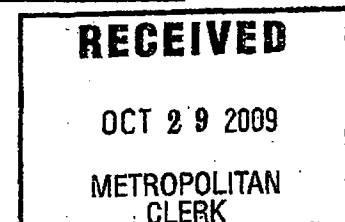
**(d) 4th offense**

1) Revocation.

These provisions shall apply unless the permit holder is a responsible vendor as recognized pursuant to MCL § 7.08.110 or unless otherwise provided by law. If the permit holder was, at the time of the sale, a responsible vendor, the board shall not suspend or revoke the permit of the responsible vendor, but may impose a civil penalty not to exceed \$1000 in lieu of any suspension that would have been imposed but for the permit holder being a responsible vendor.

*Adrian* Lamara Hart  
Chairperson

Adopted as amended this 28 day of October, 2009

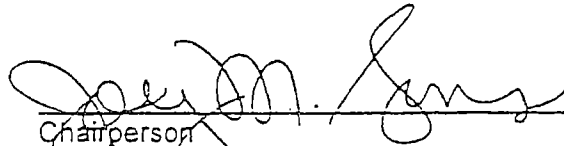


RULES AND REGULATIONS OF THE BEER PERMIT BOARD OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE NO. 35

For all purposes under the metropolitan beer laws, a limited liability company  
shall be treated as a corporation.

Adopted: This 2nd day of November, 2006

  
Chairperson

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METROPOLITAN  
CLERK

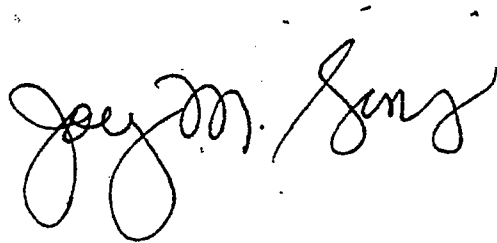
**RULES AND REGULATIONS OF THE BEER PERMIT BOARD OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

**RULE NO. 36**

The Beer Permit Board shall not entertain motions for reconsideration. Persons wishing to appeal the decisions of the Beer Permit Board may avail themselves of the processes set out in T.C.A. 57-5-108 and should contact their own independent legal counsel to ensure that all procedural requirements have been met.

ADOPTED: This 8<sup>th</sup> day of April, 2010.

The Metropolitan Beer Permit Board.

A handwritten signature in cursive script, appearing to read "Jay M. Sims".

**RECEIVED**

**APR 13 2010**

**METROPOLITAN  
CLERK**

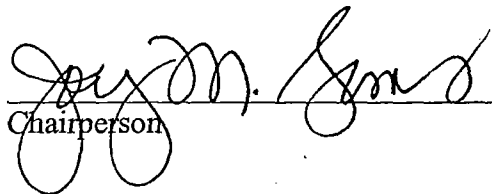
RULES AND REGULATIONS OF THE BEER PERMIT BOARD OF THE  
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

RULE NO. 37

Applicants for special event permits will be limited in the number of days for which such permits can be granted per month. In order to prevent the abuse of numerous special events as a means of circumventing beer permit regulations, applicants for special events must identify the exact dates and locations of the special events requested. No applicant may be granted special event permits for no more than ten (10) days in any given month. Additionally, no applicant may be granted more than fifty (50) special events days per calendar year.

No special event permits shall be granted by the Board more than four (4) months in advance of the date requested by the applicant.

ADOPTED: This 11<sup>th</sup> day of August, 2011

  
Chairperson